

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

JEAN S.B. SIMMONDS and R. L. SIMMONDS,  
Individually and on behalf of All Others  
Similarly Situated,

Plaintiff,

v.

FLEETBOSTON FINANCIAL CORPORATION, et al.,

Defendants.

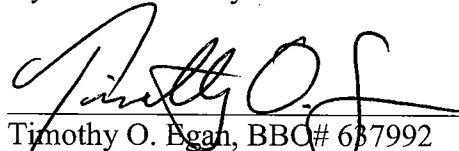
Civil Action No. 04-11953 (REK)

**MOTION TO ADMIT COUNSEL *PRO HAC VICE***

Defendants Margaret M. Eisen, Leo A. Guthart, Jerome Kahn, Jr., Steven Kaplan, David C. Kleinman, Allan B. Muchin, Robert E. Nason and John A. Wing (the "Independent Trustee Defendants"), hereby move, by and through their Massachusetts counsel, Timothy O. Egan, Esq., pursuant to LR 83.5.3(b), for the admission *pro hac vice* of Kenneth E. Rechteris, John W. Rotunno, Daniel J. Hayes and Todd E. Pentecost, as counsel for the Independent Trustee Defendants in this case. The affidavits of Kenneth E. Rechteris, John W. Rotunno, Daniel J. Hayes and Todd E. Pentecost have been filed herewith. A supporting memorandum of reasons, as required to be filed under LR 7.1(B)(1), is unnecessary as counsel for Plaintiff assents to the relief requested herein. Said assent is certified below pursuant to Mass. L.R. 7.1(A)(2).

The Independent Trustee Defendants

By Their Attorney:



Timothy O. Egan, BBO# 637992  
Peabody & Arnold LLP  
30 Rowes Wharf  
Boston, MA 02110  
617.951.2100

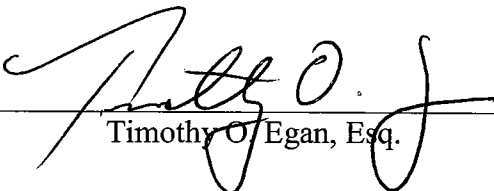
Certificate of Service

I hereby certify that on this 24th day of November, 2004, a copy of the foregoing Defendants' Motion to Admit Counsel *Pro Hac Vice* has been served by first class mail upon counsel for plaintiff:

Nancy Freeman Gans  
MOULTON & GANS, P.C.  
33 Broad Street, Suite 1100  
Boston, MA 02109-4216

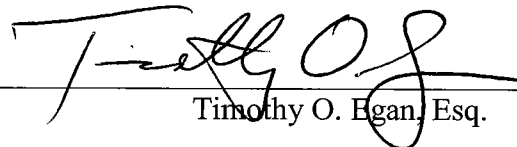
Jules Brody  
STULL, STULL & BRODY  
6 East 45th Street  
New York, NY 10017

Joseph H. Weiss  
WEISS & YOURMAN  
551 Fifth Avenue  
New York, NY 10176

  
\_\_\_\_\_  
Timothy O. Egan, Esq.

LR 7.1(A)(2) Certification

I hereby certify that counsel conferred in good faith before the filing of this motion, and that counsel for Plaintiff, Nancy Gans, Esq., has assented to the relief requested herein.

  
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Timothy O. Egan, Esq.